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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,188	10/14/2003	Kurt M. Hickey	2002-016	4210

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EXAMINER

BUI, HUNG S

ART UNIT PAPER NUMBER

2841

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,188

Applicant(s)

HICKEY, KURT M.

Examiner

Hung S. Bui

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/02/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 11, 13-21, 26-28 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miramontes [US 2002/0072395] in view of Japan [JP2004140434].

Regarding claims 1, 11, 15, 28 and 30, Miramontes discloses an electronic device (figures 1-2) comprising:

- a main body (2);
- a flip (having a letter I key 9, figure 2) having opposing sides attached to said main body, the flip being rotatable about a first axis (an axis is parallel with a vertical of the main body as shown in figure 2) of rotation between open and closed position;
- a first input interface on a first opposing side of the flip (figures 1-2);
- a second input interface on a second opposing side of the flip (figures 1-2);
and
- a third input interface (an input part has a key 4, figure 1) on the main body positioned to be at least partially covered by the flip when the flip is in the closed position (figure 1).

Miramontes discloses the instant claimed invention except for the flip being rotatable by a second axis that is perpendicular to the first axis of rotation.

Yamaguchi et al. disclose an electronic device (figures 1-4) having a main body (10) and a flip cover (17) being rotatable by a first rotation axis (29) and a second rotation axis (30, figures 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a hinge design of Yamaguchi et al. in Miramontes for the purpose of providing multiple rotational directions of the flip of the electronic device.

Regarding claims 2 and 16-17, Miramontes, as modified, discloses a display (3) on the main body and positioned such that the display being visible when the flip is in the closed position (figure 1).

Regarding claims 3-4 and 18-19, Miramontes discloses the first and third inputs are active the same time. Miramontes discloses the instant claimed invention except for the second input could not be active with the first/third input is active. However, when the electronic of Miramontes use the hinge design of Yamaguchi et al., the electronic device of Miramontes can use the first, second and third inputs to activate in the same time.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the hinge design of Yamaguchi et al. in the electronic device of Miramontes, for the purpose of using multiple inputs that are active in the same time.

Regarding claims 5-6 and 20-21, Miramontes, as modified, disclose the first, second and third input interfaces being selectively activated depending on the position of the flip and by the user.

Regarding claims 13 and 26, Miramontes, as modified, disclose the third input interface comprising a pressure sensitive interface (figures 1-2).

Regarding claims 14, 27 and 31, Miramontes, as modified, disclose the touch sensitive interface comprises a touch pad (figures 1-2).

3. Claims 7-10 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miramontes, as modified, as applied to claims 3 and 7 above, and further in view of Mak [US 2004/0085289].

Regarding claims 7-10 and 22-25, Miramontes, as modified, disclose the instant claimed invention except for the main body including a global control and/or a joystick control.

Mak discloses an electronic device (figure 3) having a main body including at least one a global control mounted thereon and will control an activation of the electronic device through input interfaces.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a global control in the main body of the electronic device of Miramontes, as suggested by Mak, for the purpose of providing accessible function of the electronic device.

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4. Claims 12, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miramontes, as modified, as applied to claim 1 above, and further in view of Wendorff et al. [US 2003/0157957].

Regarding claims 12, 29 and 32, Miramontes, as modified, disclose the instant claimed invention except for the second input interface comprising a game controller.

Wendorff et al. disclose an electronic device (figures 1-3) having a multiple input interfaces and wherein the input interface may replace as a game controller (paragraph 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the second input interface of Miramontes, as modified, by a game controller, as suggested by Wendorff et al., for the purpose of running game in the electronic device.

Response to Arguments

5. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lindeman [US 2003/0078069] discloses a portable communication device;
- Sirola et al. [US 6,661,404] disclose a portable electronic apparatus; and

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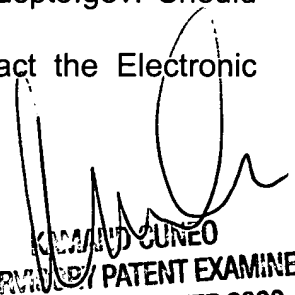
- Yamaguchi et al. [GB 2394381] disclose camera switching of two cameras folding/twisting mobile phone.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

8/12/06
Hung Bui
Art Unit 2841


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